

<p style="text-align: right;">Page 5</p> <p>1 Videoconference deposition of AMJAD SHARIF HAMED</p> <p>2 taken remotely before Jamie D. Mackrell, Court Reporter</p> <p>3 and Notary Public in and for the State of Florida at</p> <p>4 Large, in the above cause.</p> <p>5 THE COURT REPORTER: Please raise your right</p> <p>6 hand.</p> <p>7 Do you swear or affirm that the testimony you</p> <p>8 are about to give will be the truth, the whole truth, and</p> <p>9 nothing but the truth?</p> <p>10 THE WITNESS: Yes.</p> <p>11 THE COURT REPORTER: Thank you.</p> <p>12 Thereupon --</p> <p>13 AMJAD SHARIF HAMED,</p> <p>14 having been first duly sworn or affirmed, was examined and</p> <p>15 testified as follows:</p> <p>16 DIRECT EXAMINATION</p> <p>17 BY MR. DESOUZA:</p> <p>18 Q. Good morning, Mr. Hamed.</p> <p>19 A. Good morning.</p> <p>20 Q. Is that the proper way to pronounce your last</p> <p>21 name? Is it Hamed?</p> <p>22 A. Yes, sir.</p> <p>23 Q. Thank you. Could you tell us your full name,</p> <p>24 please?</p> <p>25 A. First -- full name is Amjad Sharif Hamed.</p>	<p style="text-align: right;">Page 7</p> <p>1 Q. Has he told you what it's about at all?</p> <p>2 A. All he told me was that about -- when it first</p> <p>3 started, he told me that we were getting sued for the</p> <p>4 pictures on Facebook of some fresh chicken.</p> <p>5 Q. Okay. Has he told you anything else about either</p> <p>6 the lawsuit or this deposition?</p> <p>7 A. No, sir.</p> <p>8 Q. Okay. Am I correct that you recently got married</p> <p>9 just a few weeks ago?</p> <p>10 A. Yes, sir. About a couple months ago.</p> <p>11 Q. Congratulations on that.</p> <p>12 A. Thank you, sir.</p> <p>13 Q. Do you have any plans to move out of your</p> <p>14 parents' house now that you are married?</p> <p>15 A. Pretty soon I'll be looking into it.</p> <p>16 Q. But you don't have any immediate plans or</p> <p>17 location to go to at the moment?</p> <p>18 A. No, sir.</p> <p>19 Q. Okay. Have you ever had a deposition taken</p> <p>20 before?</p> <p>21 A. No, sir.</p> <p>22 Q. Okay. Where do you currently work, Mr. Hamed?</p> <p>23 A. I work at Food Town.</p> <p>24 Q. Food Town?</p> <p>25 A. Yes, sir.</p>
<p style="text-align: right;">Page 6</p> <p>1 Q. Your middle name is Sharif, S-H-A-R-I-F?</p> <p>2 A. Yes, sir.</p> <p>3 Q. And what is your current address, Mr. Hamed?</p> <p>4 A. My current address is 2041 East Drexel Avenue.</p> <p>5 Q. In what city?</p> <p>6 A. Oak Creek, Wisconsin 53154.</p> <p>7 Q. How long have you lived there?</p> <p>8 A. About seven years now.</p> <p>9 Q. Do you live there with anybody else?</p> <p>10 A. Yes.</p> <p>11 Q. Who?</p> <p>12 A. I live there with my parents and my brothers.</p> <p>13 Q. Is one of your parents Sharif Jaber?</p> <p>14 A. Yes.</p> <p>15 Q. Now, we are here in connection with a lawsuit</p> <p>16 that was brought by my client, Prepared Food Photos, and</p> <p>17 one of the Defendants in that lawsuit is Sharif Jaber. Is</p> <p>18 that your father?</p> <p>19 A. Yes, he is.</p> <p>20 Q. Okay. Have you had a chance to discuss this</p> <p>21 lawsuit with your father?</p> <p>22 A. No, sir.</p> <p>23 Q. Okay. Has he told you anything about this</p> <p>24 lawsuit?</p> <p>25 A. No, sir.</p>	<p style="text-align: right;">Page 8</p> <p>1 Q. When you say Food Town, that's a supermarket?</p> <p>2 A. Yes, sir.</p> <p>3 Q. Are you there now? Are you there at the Food</p> <p>4 Town?</p> <p>5 A. I'm here now. I'm upstairs in the office.</p> <p>6 Q. Okay. What's the address of the Food Town that</p> <p>7 you are at?</p> <p>8 A. 3217 West Villard Avenue, Milwaukee, Wisconsin</p> <p>9 53209.</p> <p>10 Q. How long have you worked at Food Town?</p> <p>11 A. Approximately three years.</p> <p>12 Q. When I say Food Town, just to make sure we're</p> <p>13 clear, we are talking about the address of 3217 West</p> <p>14 Villard. Okay?</p> <p>15 A. Yes, sir.</p> <p>16 Q. Are you aware of any other Food Town Marts that</p> <p>17 are in the Milwaukee area?</p> <p>18 A. Food Town Marts? I don't know if they are all</p> <p>19 called Food Town Mart, but I know there is another Food</p> <p>20 Town in the area.</p> <p>21 Q. Is it called Villard Food Town to your knowledge?</p> <p>22 A. There is one called Villard Food & Liquor.</p> <p>23 Q. Got it. Is that one located somewhere near where</p> <p>24 you guys are?</p> <p>25 A. It's about 20 blocks down from here.</p>

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<p style="text-align: right;">Page 9</p> <p>1 Q. To your knowledge, does anyone in your family own 2 that business?</p> <p>3 A. No, sir.</p> <p>4 Q. The business that you have worked at, the Food 5 Town business, has it always had the same name as long as 6 you worked there?</p> <p>7 A. As long as I worked here it should, yes.</p> <p>8 Q. I've seen Food Town Mart and I have seen Villard 9 Food Town. Are those both names for the same business?</p> <p>10 A. Well, Villard Food Town was the name before I 11 started working here.</p> <p>12 Q. So it was Villard -- I'm going to keep saying 13 Villard, but that's just the way my pronunciation is. It 14 was Villard Food Town previously, correct?</p> <p>15 A. Yes.</p> <p>16 Q. Now it is Food Town Mart?</p> <p>17 A. Yes.</p> <p>18 Q. Do you recall when that change occurred?</p> <p>19 A. I don't remember.</p> <p>20 Q. Okay. But to your knowledge, whether it was 21 Villard Food Town or Food Town Mart, it has always operated 22 at that same address of 3217 West Villard, correct?</p> <p>23 A. Yes.</p> <p>24 Q. What is your position with the Food Town Mart?</p> <p>25 A. I'm the floor manager.</p>	<p style="text-align: right;">Page 11</p> <p>1 Q. It has a Facebook?</p> <p>2 A. Yup.</p> <p>3 Q. What's the Facebook for Food Town Mart?</p> <p>4 A. I believe it's called Food Town Mart.</p> <p>5 Q. It's called Food Town Mart?</p> <p>6 A. Yes, sir.</p> <p>7 Q. To your knowledge, how long has Villard Food 8 Town, Food Town Mart had this Facebook page?</p> <p>9 A. To my knowledge, I mean when I started working 10 here it was already up there.</p> <p>11 Q. One of the Defendants in this lawsuit is named 12 Nofal LLC, doing business as the Food Town Mart. Do you 13 recognize that name, "Nofal"?</p> <p>14 A. Nofal?</p> <p>15 Q. Yes.</p> <p>16 A. Yes, I do.</p> <p>17 Q. Does it have any meaning? Does it relate to some 18 person?</p> <p>19 A. It's my brother.</p> <p>20 Q. It's your brother. Is your brother's name Nofal?</p> <p>21 A. Yes, it is.</p> <p>22 Q. And is he an older brother or younger brother?</p> <p>23 A. My older brother.</p> <p>24 Q. Do you have any idea why the business is owned by 25 Nofal LLC?</p>
<p style="text-align: right;">Page 10</p> <p>1 Q. Floor manager?</p> <p>2 A. I'm in charge of ordering, in charge of opening 3 the store, closing the store on my days that I work, 4 making sure that everything is in order.</p> <p>5 Q. And has that stayed the same roughly when you 6 started working there three years ago?</p> <p>7 A. No. When I first started I was a shelf stocker 8 for a little while.</p> <p>9 Q. You said it's been about three years. Does that 10 go back to roughly 2020?</p> <p>11 A. Yeah, 2020.</p> <p>12 Q. Do you recall when in 2020 you started with Food 13 Town Mart?</p> <p>14 A. I do not remember exactly when.</p> <p>15 Q. Okay. But just to narrow it down, you're pretty 16 sure it was 2020, not 2019 when you started?</p> <p>17 A. Am I pretty sure? Could've been maybe at the 18 end of 2019, beginning of 2020. I'm not sure, to be 19 honest with you.</p> <p>20 Q. Okay. To your knowledge, does Food Town Mart 21 have a website?</p> <p>22 A. Do we have a website? No.</p> <p>23 Q. What about social media? Things like Facebook or 24 Twitter? Instagram? Any of that?</p> <p>25 A. I know we have a Facebook.</p>	<p style="text-align: right;">Page 12</p> <p>1 A. I do not know.</p> <p>2 Q. Do you know if Nofal LLC is owned by your 3 brother?</p> <p>4 A. I do not know.</p> <p>5 Q. To your knowledge, the store itself, the Food 6 Town Mart there on West Villard Avenue, is that owned by 7 your father?</p> <p>8 A. To my knowledge, yes, it is.</p> <p>9 Q. To your knowledge, do you know whether it's owned 10 by any other person?</p> <p>11 A. I don't know.</p> <p>12 Q. Do you have an email address that you've used 13 over the last few years?</p> <p>14 A. Yes, I do.</p> <p>15 Q. What email address have you used over the last 16 few years?</p> <p>17 A. My first name, period, my last name, the numbers 18 313 at yahoo.com.</p> <p>19 Q. Okay. Have you ever used 20 amjad.hamed23@yahoo.com?</p> <p>21 A. That was a long time ago. I forgot the 22 password, so that's what made me make this new one.</p> <p>23 Q. Okay. Do you know what email address your 24 brother has used?</p> <p>25 A. I do not know.</p>

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<p style="text-align: right;">Page 13</p> <p>1 Q. Have you ever seen an email address</p> <p>2 nofal.hamed@ymail.com?</p> <p>3 A. Personally? No, sir.</p> <p>4 Q. What about falfal0@gmail.com?</p> <p>5 A. No.</p> <p>6 Q. Is your brother's last name Hamed as well?</p> <p>7 A. Yes, it is.</p> <p>8 (Exhibit No. 1 was marked for identification.)</p> <p>9 BY MR. DESOUZA:</p> <p>10 Q. All right. I'm going to mark this as Exhibit 1</p> <p>11 for today's deposition. Do you see that on your screen,</p> <p>12 sir?</p> <p>13 A. Yes, sir.</p> <p>14 Q. This document I'm identifying it as Exhibit 1 for</p> <p>15 today's deposition. Mr. Hamed, I will just represent to</p> <p>16 you that this is a document that we received from Facebook.</p> <p>17 We sent a subpoena to Facebook asking Facebook to give us</p> <p>18 information about the ownership of this Facebook account,</p> <p>19 the Villard Food Town or Food Town Mart Facebook. You see</p> <p>20 it says "Account Identifier: Villard Food Town." Do you</p> <p>21 see that?</p> <p>22 A. Yes.</p> <p>23 Q. And that Facebook says the registered email</p> <p>24 address -- there is two of them. One was that yahoo email</p> <p>25 address. Another is one is Facebook email address. Do you</p>	<p style="text-align: right;">Page 15</p> <p>1 Q. Was there ever a point in time, Mr. Hamed, that</p> <p>2 you were in control of posting content to the Villard Food</p> <p>3 Town Facebook page?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. I'm going to take this down. Tell me how</p> <p>6 that came about. How did you go from a guy who's stocking</p> <p>7 shelves to a guy who's in control of the Facebook account?</p> <p>8 A. My older brother, when he used to work here, he</p> <p>9 was the one in charge of it. When he did stop working</p> <p>10 here, he gave me control of it. He logged it in for me,</p> <p>11 and I went from there.</p> <p>12 Q. Okay. Do you recall if that was towards the</p> <p>13 beginning of when you started to going back to sometime in</p> <p>14 2020, or sometime more recent?</p> <p>15 A. It wasn't more recent. It was probably around</p> <p>16 that time when I first started.</p> <p>17 Q. What did your brother Nofal do for the company?</p> <p>18 Was he floor manager before you started, or was he</p> <p>19 something else?</p> <p>20 A. Well, he was pretty much -- yeah, pretty much</p> <p>21 did what I do now. He was in charge of everything.</p> <p>22 Q. What does your father do for the company?</p> <p>23 Whether it's day-to-day or whether it's overall, if you</p> <p>24 could help me out.</p> <p>25 A. Yeah. He is the one that -- he would be our</p>
<p style="text-align: right;">Page 14</p> <p>1 see those?</p> <p>2 A. Yes, sir.</p> <p>3 Q. And you told me that amjad.hamed23@yahoo.com is</p> <p>4 an email address that you've previously used, correct?</p> <p>5 A. Yes, it is.</p> <p>6 Q. And when did you stop using that email address?</p> <p>7 A. When I forgot the password.</p> <p>8 Q. Do you recall about how long ago that was? Last</p> <p>9 year? Two years ago?</p> <p>10 A. I don't know. No. I don't remember, to be</p> <p>11 honest with you.</p> <p>12 Q. Okay. Also you see where it says "credit cards,"</p> <p>13 and it has a Visa credit card?</p> <p>14 A. Yeah. Uh-huh.</p> <p>15 Q. The last four digits are 3797. Do you see that?</p> <p>16 A. Yes.</p> <p>17 Q. Do you recognize that credit card number?</p> <p>18 A. Personally, I do not. Could've been mine from a</p> <p>19 while ago. I just don't remember.</p> <p>20 Q. But as of today, you don't believe you have a</p> <p>21 credit card that ends in 3797?</p> <p>22 A. No, sir.</p> <p>23 Q. And you don't know whether that's your credit</p> <p>24 card, or perhaps some other member of your family, correct?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 16</p> <p>1 boss. So he is the one that comes in, he makes the orders</p> <p>2 for the store. He is the one that's in charge of the</p> <p>3 accounting, the money, and stuff like that.</p> <p>4 Q. What does Villard Food Town or Food Town Mart</p> <p>5 sell? Is it general grocery products?</p> <p>6 A. We sell some -- the things that you would find</p> <p>7 in a general grocery store, food, meat, toilet paper,</p> <p>8 paper towel, cleaning products, juices, sodas, things like</p> <p>9 that.</p> <p>10 Q. Has that changed at all since you started there</p> <p>11 three years ago?</p> <p>12 A. No, sir.</p> <p>13 Q. Like is there products that you used to sell that</p> <p>14 you don't sell now, or different lines of business today</p> <p>15 than when you first started?</p> <p>16 A. No, sir.</p> <p>17 Q. I believe your father had a deposition in this</p> <p>18 case, and he testified that there is -- I think you offer</p> <p>19 check cashing there; is that correct?</p> <p>20 A. Yes, we do.</p> <p>21 Q. Is there any other services besides check cashing</p> <p>22 that you offer there at the store?</p> <p>23 A. Bill payments, money orders.</p> <p>24 Q. All right. And I think your father said that you</p> <p>25 sell cellphones or cellphone plans; is that right?</p>

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<p style="text-align: right;">Page 17</p> <p>1 A. Yes.</p> <p>2 Q. Okay. Which is it? Is it both? Do you sell the</p> <p>3 phones and the plans?</p> <p>4 A. Yeah. The phones with the plans.</p> <p>5 Q. Phones with the plans. Do you know who the</p> <p>6 service provider is? Is it Boost Mobile? Verizon?</p> <p>7 A. Boost Mobile.</p> <p>8 Q. It's always been Boost Mobile, correct?</p> <p>9 A. As far as to my knowledge, yes. Might have been</p> <p>10 something before, but I don't know.</p> <p>11 Q. Well, right. Let me just make sure I clarify.</p> <p>12 I'm assuming, but tell me if I'm wrong, you really only</p> <p>13 know about the goings-on at the store since you started</p> <p>14 sometime in 2020; is that right?</p> <p>15 A. Yes, sir.</p> <p>16 Q. You didn't have any real involvement in the store</p> <p>17 prior to 2020, correct?</p> <p>18 A. To my knowledge, no.</p> <p>19 Q. Okay. Right. So to the extent I'm asking you</p> <p>20 questions, sir, it's really just based on what you know. I</p> <p>21 don't want you to guess as to what was happening before</p> <p>22 you. Okay?</p> <p>23 A. All right.</p> <p>24 (Exhibit No. 2 was marked for identification.)</p> <p>25 BY MR. DESOUZA:</p>	<p style="text-align: right;">Page 19</p> <p>1 A. Yes, sir.</p> <p>2 Q. And do know if the name on the Facebook account</p> <p>3 had changed from Villard Food Town to Food Town Mart at</p> <p>4 some point as well?</p> <p>5 A. I don't know.</p> <p>6 Q. To your knowledge, from your knowledge of the</p> <p>7 Facebook account, has it always said Food Town Mart as the</p> <p>8 account?</p> <p>9 A. Yes, sir.</p> <p>10 Q. Now, if you see on this exhibit, the last post</p> <p>11 that was made by Food Town Mart was July 3, 2022. Do you</p> <p>12 see that?</p> <p>13 A. Yes, sir.</p> <p>14 Q. And it looks like it's just advertising that "we</p> <p>15 have fresh chicken wings on sale," correct?</p> <p>16 A. Yes.</p> <p>17 Q. Who is the person who's actually making these</p> <p>18 posts? So someone's logging into the Food Town Mart</p> <p>19 account posting about the chicken wings that were on sale?</p> <p>20 A. I posted it.</p> <p>21 Q. That was you?</p> <p>22 A. Yes, sir.</p> <p>23 Q. Was there any other person that had access to the</p> <p>24 Facebook account to make those postings during the time</p> <p>25 that you were working there?</p>
<p style="text-align: right;">Page 18</p> <p>1 Q. So I'm going to go ahead and mark this as Exhibit</p> <p>2 2. This is a screenshot of the Food Town Mart Facebook</p> <p>3 account. Do you see that on the screen, sir?</p> <p>4 A. Yes, sir.</p> <p>5 Q. This is just a screenshot of the top of the</p> <p>6 Facebook page, and you see it says "Food Town Mart,"</p> <p>7 correct?</p> <p>8 A. Yup.</p> <p>9 Q. And it looks like there is a profile photo that</p> <p>10 says "Villard Food Town." Is that the old sign there was</p> <p>11 at the property?</p> <p>12 A. Yes.</p> <p>13 Q. And this photo, looks like of the exterior of the</p> <p>14 business, that is the business at 3217 West Villard,</p> <p>15 correct?</p> <p>16 A. Yes, sir.</p> <p>17 Q. And here at intro it says "grocery store with</p> <p>18 full line grocery and fresh meat. We accept food stamps</p> <p>19 and WIC, check cashing, a" -- you see that, right?</p> <p>20 A. Yes.</p> <p>21 Q. Did you write any of this contents that's on</p> <p>22 Facebook?</p> <p>23 A. No, sir.</p> <p>24 Q. So those descriptions were there before you took</p> <p>25 over the Facebook account, correct?</p>	<p style="text-align: right;">Page 20</p> <p>1 A. Yes.</p> <p>2 Q. Okay. Who else?</p> <p>3 A. My brother, Nofal.</p> <p>4 Q. Okay. But he stopped working for the company at</p> <p>5 some point, correct?</p> <p>6 A. Yes.</p> <p>7 Q. Do you recall when that was?</p> <p>8 A. I don't remember.</p> <p>9 Q. Okay. But other than -- well, let me back that</p> <p>10 up. When your brother left the company, did he also stop</p> <p>11 making postings on the Food Town Mart Facebook page?</p> <p>12 A. No, sir. He kept -- because I would ask him for</p> <p>13 some advice sometimes on how to post, because he was the</p> <p>14 one in charge before I was.</p> <p>15 Q. So even after your brother left, he may have</p> <p>16 still posted some of the Food Town Mart postings, correct?</p> <p>17 A. Yes, sir.</p> <p>18 Q. Do you know, as you sit here, any particular</p> <p>19 posting that your brother did rather than you after the</p> <p>20 time that you took over?</p> <p>21 A. No, sir.</p> <p>22 Q. And if you see on this page it says the address</p> <p>23 is 3217 West Villard, and you told me earlier that address</p> <p>24 hasn't changed since you have been working there, correct?</p> <p>25 A. Yes, sir.</p>

5 (Pages 17 to 20)

<p style="text-align: right;">Page 21</p> <p>1 Q. Okay. Let me take that down.</p> <p>2 Now, when this first arose, this issue first</p> <p>3 arose with my client, your father told you it concerned</p> <p>4 some posting of a food item on the Facebook page, correct?</p> <p>5 A. Yes, sir.</p> <p>6 Q. Did he tell you what the photo was of?</p> <p>7 A. Fresh chicken.</p> <p>8 Q. I'm sorry. What?</p> <p>9 A. I think it was fresh chicken.</p> <p>10 Q. Fresh chicken?</p> <p>11 A. Chicken wings, something along those lines,</p> <p>12 yeah.</p> <p>13 (Exhibit No. 3 was marked for identification.)</p> <p>14 BY MR. DESOUZA:</p> <p>15 Q. I'm going to go ahead and show you what we'll</p> <p>16 mark as Exhibit 3 for the deposition. Do you see that up</p> <p>17 on the screen, sir?</p> <p>18 A. Yes, sir.</p> <p>19 Q. I believe that Exhibit 3 is another one of these</p> <p>20 posts by the Villard Food Town Facebook account, and it's</p> <p>21 dated September 28, 2020. Do you see that?</p> <p>22 A. Yes, sir.</p> <p>23 Q. And there are three photos there. Looks like one</p> <p>24 is of pork chops, one is of ribs, and one is of chicken</p> <p>25 legs, correct?</p>	<p style="text-align: right;">Page 23</p> <p>1 Q. Now, how do you go about getting the information</p> <p>2 for posting that chicken drumsticks are 99 cents a pound,</p> <p>3 the spareribs are 1.99 pound? Does someone give you that</p> <p>4 information to post, or are you coming up with this</p> <p>5 information yourself?</p> <p>6 A. No. Someone was giving me information.</p> <p>7 Q. Who would be giving you that information?</p> <p>8 A. Either the butcher that works here, or my</p> <p>9 father.</p> <p>10 Q. In this particular posting, do you recall whether</p> <p>11 it was the butcher or your father that gave you the</p> <p>12 information to post?</p> <p>13 A. I don't remember.</p> <p>14 Q. Did your father give you any instructions in</p> <p>15 terms of running the Facebook page in terms of what you</p> <p>16 could do, what you couldn't do, anything like that?</p> <p>17 A. No, sir.</p> <p>18 Q. How did you go about getting the photographs for</p> <p>19 purposes of making these postings, this one in particular?</p> <p>20 A. On Google.</p> <p>21 Q. Just tell me if I'm right. You go on Google, do</p> <p>22 a search for pork chops, or chicken wings, something like</p> <p>23 that?</p> <p>24 A. Yes, sir.</p> <p>25 Q. And then you would look at the images that come</p>
<p style="text-align: right;">Page 22</p> <p>1 A. Uh-huh.</p> <p>2 Q. I'm sorry, sir. I know it's your first</p> <p>3 deposition, but for the court reporter's benefit, if you</p> <p>4 could avoid the uh-huh. You have to give me a yes or a no</p> <p>5 just so she can write it down. Okay?</p> <p>6 A. Yes.</p> <p>7 Q. So it's three photos there that appear to be one</p> <p>8 of pork chops, one of some type of ribs, and one of chicken</p> <p>9 wings, correct?</p> <p>10 A. Yes, sir.</p> <p>11 Q. This September 28, 2020 posting, do you believe</p> <p>12 you were in control of the Facebook page at that time?</p> <p>13 A. Yes, sir.</p> <p>14 Q. Do you know whether this is a posting that you</p> <p>15 made to the Facebook account, or that your brother --</p> <p>16 A. Yes, sir. I posted this, yes.</p> <p>17 Q. You posted this?</p> <p>18 A. Yes.</p> <p>19 Q. And as of September 28, 2020, you were employed</p> <p>20 by the Food Town Mart, correct?</p> <p>21 A. Yes, sir.</p> <p>22 Q. Do you know whether you were floor manager as of</p> <p>23 that point, or some other position?</p> <p>24 A. At that point, I'm not sure. I can't remember</p> <p>25 back that far.</p>	<p style="text-align: right;">Page 24</p> <p>1 up, and find one that looks good, and use that photo on the</p> <p>2 Facebook page; is that right?</p> <p>3 A. Yes, sir.</p> <p>4 Q. Okay. Do you know, as you sit here, whether you</p> <p>5 ever went to the actual websites, or did you just look at</p> <p>6 the Google image result?</p> <p>7 A. I just searched up the Google images, and then I</p> <p>8 copy and paste.</p> <p>9 Q. So for the images that are in this posting, this</p> <p>10 September 28, 2020 posting, do you know what website the</p> <p>11 images were actually posted on?</p> <p>12 A. No, sir.</p> <p>13 Q. Do you understand what I mean by that when I say</p> <p>14 the website they were posted on?</p> <p>15 A. You mean like Google?</p> <p>16 Q. Well, you do a search on Google, and it shows you</p> <p>17 a number of thumbnails for pork chops or chicken, correct?</p> <p>18 A. Yeah.</p> <p>19 Q. Do you understand that those images are not</p> <p>20 actually on Google's website, but Google is showing you</p> <p>21 where they are on some other website online? It might be</p> <p>22 on this website. It might be on that website. Do you</p> <p>23 understand that?</p> <p>24 A. The only pictures I found were on Google images.</p> <p>25 Q. So you found it on Google images, and then you</p>

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<p style="text-align: right;">Page 25</p> <p>1 clicked on the image, correct?</p> <p>2 A. Yes.</p> <p>3 Q. And did you click through to go to whatever</p> <p>4 website Google was directing you to? So, for example, if</p> <p>5 the pork chop photo was on porkchoplovers.com, did you</p> <p>6 actually go to the end website and find the photo there, or</p> <p>7 did you just copy from Google images?</p> <p>8 A. As far as I remember, I just copied it through</p> <p>9 Google images.</p> <p>10 Q. How did you go about copying the photos from</p> <p>11 Google images? Did you just take a screenshot? Did you do</p> <p>12 something else?</p> <p>13 A. It was either a screenshot or I press -- or you</p> <p>14 could press -- I believe you could press and hold and save</p> <p>15 the photo through Google.</p> <p>16 Q. Okay.</p> <p>17 A. Through your phone.</p> <p>18 Q. Did your father ever give you any instructions</p> <p>19 about how to find photographs for the Facebook page, or</p> <p>20 where to find photographs for the Facebook page?</p> <p>21 A. No, sir.</p> <p>22 Q. Did your brother ever give you those</p> <p>23 instructions?</p> <p>24 A. No.</p> <p>25 Q. To your knowledge, was your process of finding</p>	<p style="text-align: right;">Page 27</p> <p>1 Q. Do you still have the ability to log into the</p> <p>2 Facebook account as of today?</p> <p>3 A. Yes, sir.</p> <p>4 Q. Have you logged into the Facebook account since</p> <p>5 July 3, 2022?</p> <p>6 A. Yes, sir.</p> <p>7 Q. And to your knowledge, have you removed any</p> <p>8 photographs from the Facebook page since July 3, 2022?</p> <p>9 A. No, sir.</p> <p>10 Q. Has your father asked you to remove any</p> <p>11 photographs from the Facebook page since July 3, 2022?</p> <p>12 A. Not that I recall.</p> <p>13 Q. If your father -- let me just clarify. Your</p> <p>14 father is essentially the boss at the Food Town Mart,</p> <p>15 correct?</p> <p>16 A. Yes, sir.</p> <p>17 Q. And if your father had asked you to remove any of</p> <p>18 the photographs from the Facebook page, you would have done</p> <p>19 so, correct?</p> <p>20 MR. STEINLE: Object to the form.</p> <p>21 A. Yes.</p> <p>22 MR. STEINLE: Answer can stand.</p> <p>23 BY MR. DESOUZA:</p> <p>24 Q. I'm sorry. You said "yes," correct?</p> <p>25 A. What was that?</p>
<p style="text-align: right;">Page 26</p> <p>1 photographs the same as your brother's process?</p> <p>2 A. No, sir.</p> <p>3 Q. Other than you and your brother, are you aware of</p> <p>4 anyone else who during your time of working there has</p> <p>5 access to or control of the Facebook page?</p> <p>6 A. No, sir.</p> <p>7 Q. So I guess to ask it a different way. Any one of</p> <p>8 the postings from the time you started working at Food Town</p> <p>9 Mart through today would have had to be made by either</p> <p>10 yourself or your brother, correct?</p> <p>11 A. Yes, sir.</p> <p>12 Q. Okay. I'm going to take that down for a moment.</p> <p>13 If we could just go back to Exhibit 2 for a</p> <p>14 moment, Mr. Hamed. You see that the last post is July 3,</p> <p>15 2022, correct?</p> <p>16 A. Yes, sir.</p> <p>17 Q. Is there any reason why there hasn't been any</p> <p>18 updates to the Facebook page since July 3, 2022?</p> <p>19 A. No, sir. I just -- I'm not really a technical</p> <p>20 guy who knows how to do these kind of things on the</p> <p>21 phones. To me, it wasn't making an impact while I was</p> <p>22 posting or advertising for people to see. It wasn't</p> <p>23 making an impact on our sales. So to me it really didn't</p> <p>24 matter whether I posted on Facebook or if I didn't, it's</p> <p>25 still the same.</p>	<p style="text-align: right;">Page 28</p> <p>1 Q. Mr. Hamed, you said yes to my question; is that</p> <p>2 right?</p> <p>3 A. Yes.</p> <p>4 MR. DESOUZA: Okay. Just for your purposes,</p> <p>5 Mr. Hamed, since you haven't done this before.</p> <p>6 Sometimes lawyers will make an objection to a</p> <p>7 question. For the most part, they are legal</p> <p>8 objections just for purposes of the judge for later</p> <p>9 on. You would still answer the question.</p> <p>10 Mr. Steinle is just preserving for later. Okay?</p> <p>11 THE WITNESS: Okay.</p> <p>12 (Exhibit No. 4 was marked for identification.)</p> <p>13 BY MR. DESOUZA:</p> <p>14 Q. Okay. Mr. Hamed, I'm going to show you what</p> <p>15 we'll mark as Exhibit 4. This is a copy of the Second</p> <p>16 Amended Complaint in this lawsuit. Basically that's fancy</p> <p>17 lawyer talk for this is the document by which my client is</p> <p>18 suing Nofal LLC and your father, Mr. Jaber. Okay?</p> <p>19 A. Okay.</p> <p>20 Q. So I'm going to scroll down. According to this</p> <p>21 document at least, the photograph at issue in this lawsuit</p> <p>22 is this photograph of pork chops. Do you see that?</p> <p>23 A. Yes, sir.</p> <p>24 Q. Paragraph 12 of the Complaint, right?</p> <p>25 A. Uh-huh.</p>

7 (Pages 25 to 28)

<p style="text-align: right;">Page 29</p> <p>1 Q. And that is one of the photographs that we just 2 saw in Exhibit 3, correct? 3 A. Yes, sir. 4 Q. In fact, if I scroll down where it describes the 5 alleged use by Nofal LLC, it shows us that same September 6 28, 2020 Facebook post, correct? 7 A. Yes, sir. 8 Q. As you sit here today, other than somewhere on 9 Google images, do you have any idea as to the specific 10 website that the pork chop photo was on? 11 A. No, sir. 12 Q. Do you have any idea as you sit here today what 13 specific search you put into Google images to find that 14 photo? 15 A. Fresh pork chops. 16 Q. Okay. As you sit here today, you don't know 17 whether it was your father or the butcher at the store that 18 asked you to make this September 28, 2020 posting, correct? 19 A. I don't recall. 20 Q. Is it the same butcher today as it was back in 21 2020? 22 A. No, sir. 23 Q. Do you recall the name of the butcher back at the 24 time this posting was made in September of 2020? 25 A. No, sir.</p>	<p style="text-align: right;">Page 31</p> <p>1 Q. Exhibit 5 is another screenshot. It appears to 2 be actually a screenshot from your Facebook page sharing a 3 post from Food Town Mart dated January 6, 2021. Is that 4 right? 5 A. Yes, sir. 6 Q. Okay. This photo that we are looking at in 7 Exhibit 5, does that appear to be the inside of the Food 8 Town Mart store on 3217 West Villard? 9 A. Yes, sir. 10 Q. Because I've never been there. I'm here in 11 Florida. What area of the store am I looking at based on 12 this photo? 13 A. I mean, the corner part of the store when you 14 walk in. It's like the first time that you -- not the 15 first thing, but once you walk in through the door, 16 there's the registers. You just keep going straight, 17 there will be a section for the check cashing spot. It 18 would be around that area. 19 Q. Okay. And in this post it says "glow-in-the-dark 20 hookah. Limited time supply. First come first serve." 21 Correct? 22 A. Yes, sir. 23 Q. Is this an item that was being sold at the Food 24 Town Mart, at least back in January of 2021? 25 A. Most likely.</p>
<p style="text-align: right;">Page 30</p> <p>1 Q. Okay. Well, I'm assuming by virtue of the fact 2 that we are looking at raw pork chops and chicken, that 3 Food Town Mart does sell raw meat, correct? 4 A. Yes, sir. 5 Q. Are you familiar with what a hookah is? 6 A. A what? 7 Q. Are you familiar with what a hookah is? 8 H-O-O-K-A-H? 9 A. Yes, sir. 10 Q. What is a hookah? 11 A. A smoking device I believe it would be called. 12 Something you could smoke tobacco out of. 13 Q. Is it usually like a glass item? 14 A. Not the whole thing. There is glass pieces to 15 it. 16 Q. Okay. Are you aware of whether Food Town Mart 17 has ever sold hookahs in the store? 18 A. No, sir. 19 Q. I'm sorry. You said "no, sir"? 20 A. Yeah. Yes. 21 (Exhibit No. 5 was marked for identification.) 22 BY MR. DESOUZA: 23 Q. Let me go ahead and mark this as Exhibit 5. Do 24 you see Exhibit 5 on the screen, sir? 25 A. Yes, sir.</p>	<p style="text-align: right;">Page 32</p> <p>1 Q. Well, let me ask it a different way. You 2 wouldn't have posted on the Facebook page with a first come 3 first serve if it wasn't being sold at the store, correct? 4 A. Yes, sir. 5 Q. And I've never smoked at all in my life, 6 certainly not out of a hookah. But does this appear to be 7 a hookah that was for sale at the Food Town Mart store? 8 A. Yes, sir. 9 Q. And there's some other products here. There's 10 like a cylinder sitting on top of the desk. Do you see 11 that? 12 A. Yes, sir. 13 Q. On top of the counter? 14 A. Yup. 15 Q. What is that, if you can recognize it? I don't 16 know what those are. 17 A. That's the hookah tobacco. 18 Q. That's the tobacco for purposes of the hookah? 19 A. Yes, sir. 20 Q. And it looks like there are other round cylinders 21 inside the glass cabinet; is that right? 22 A. Yes, sir. 23 Q. Those would all be hookah tobaccos? 24 A. Yes, sir. 25 Q. Okay. Thank you. That last Exhibit 5 that we</p>

8 (Pages 29 to 32)


<p style="text-align: right;">Page 33</p> <p>1 just looked at in January of 2021, do you know whether that</p> <p>2 would be you or your brother that would have posted that?</p> <p>3 A. I don't recall.</p> <p>4 Q. But one or the other, correct?</p> <p>5 A. Yes, sir.</p> <p>6 Q. How often does your father come to the store, to</p> <p>7 the Food Town Mart there?</p> <p>8 A. Five days a week.</p> <p>9 Q. Five days a week? I'm sorry. You said five days</p> <p>10 a week, yes?</p> <p>11 A. Sometimes seven. Some days five. Some weeks --</p> <p>12 depends on the week.</p> <p>13 Q. When he is there, is he generally there</p> <p>14 full-time, like he is putting in a full day?</p> <p>15 A. He puts in about seven or eight hours.</p> <p>16 Q. Okay. Does your father just stay in the one part</p> <p>17 of the store, or does he walk all around?</p> <p>18 A. Depending on the day. Depends on how busy we</p> <p>19 are. Depends if he needs to be inside the office or if he</p> <p>20 needs to be up in front of the store.</p> <p>21 Q. But certainly you would think your father is</p> <p>22 familiar with the layout of the store, the products that it</p> <p>23 sells, correct?</p> <p>24 A. Yes, sir.</p> <p>25 (Exhibit No. 6 was marked for identification.)</p>	<p style="text-align: right;">Page 35</p> <p>1 Q. Well, you agree that if I wanted to smoke this</p> <p>2 tobacco product using this hookah I could, correct?</p> <p>3 A. Yes, sir.</p> <p>4 Q. So it has a function if I want it to function as</p> <p>5 a hookah, correct?</p> <p>6 A. Yes, sir.</p> <p>7 Q. In what way could I call this a gift box? I</p> <p>8 mean, is this something that I could put stuff inside of?</p> <p>9 How would I call this a gift box?</p> <p>10 A. Because people use it as a decoration. People</p> <p>11 give it to other people as a decoration for their homes.</p> <p>12 You can give it to somebody as a gift for Christmas, for</p> <p>13 their birthday.</p> <p>14 Q. I guess, so we are on the same page, maybe I'm</p> <p>15 thinking of something different when I say gift boxes than</p> <p>16 what you are thinking. Okay?</p> <p>17 A. Okay.</p> <p>18 Q. We both agree you can give this item as a gift to</p> <p>19 someone else, correct?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. Now, when I say gift box, I typically</p> <p>22 think of an item that I can put other things inside of.</p> <p>23 And I guess other than tobacco, can you think of anything</p> <p>24 else that people would put inside this to make it a gift</p> <p>25 box?</p>
<p style="text-align: right;">Page 34</p> <p>1 BY MR. DESOUZA:</p> <p>2 Q. Okay. Mark this as Exhibit 6. Exhibit 6 is</p> <p>3 another screenshot it appears of a post you shared from</p> <p>4 Food Town Mart also on January 16, 2021. Do you see that?</p> <p>5 A. Yes, sir.</p> <p>6 Q. What am I looking at in Exhibit 6, if you could</p> <p>7 tell me?</p> <p>8 A. That's a glass hookah.</p> <p>9 Q. It's another glass hookah?</p> <p>10 A. Yes, sir.</p> <p>11 Q. Was this a product that was being sold out of the</p> <p>12 Food Town Mart in January of 2021?</p> <p>13 A. Most likely, yes, sir.</p> <p>14 Q. Are these decorative hookahs, or is this</p> <p>15 something that I could actually smoke the tobacco product</p> <p>16 out of it?</p> <p>17 A. It depends on how you want to use it. You can</p> <p>18 use it as a decoration. You can use it to smoke tobacco</p> <p>19 out of.</p> <p>20 Q. Have you ever heard of these hookahs referred to</p> <p>21 as gift boxes?</p> <p>22 A. Yes, sir.</p> <p>23 Q. In what context would I call this a gift box?</p> <p>24 A. What context? I don't know what you mean by</p> <p>25 that.</p>	<p style="text-align: right;">Page 36</p> <p>1 A. I think you could put a lot of things, because</p> <p>2 hookahs are pretty much an open concept. You could put</p> <p>3 anything you want in there.</p> <p>4 Q. Okay. I'm going to go ahead and take that down.</p> <p>5 So we know in January of 2021 there were at</p> <p>6 least two different types of hookahs that the store was</p> <p>7 selling, correct?</p> <p>8 A. Yes, sir.</p> <p>9 Q. What about today? Does the store still sell</p> <p>10 hookahs today?</p> <p>11 A. Today? No.</p> <p>12 Q. When did it stop selling hookahs to your</p> <p>13 knowledge?</p> <p>14 A. I don't recall.</p> <p>15 Q. What about the tobacco for the hookahs, does it</p> <p>16 still sell that?</p> <p>17 A. Yes, sir.</p> <p>18 Q. Do you know why the store stopped selling hookahs</p> <p>19 at some point?</p> <p>20 A. I do not know.</p> <p>21 (Exhibit No. 7 was marked for identification.)</p> <p>22 BY MR. DESOUZA:</p> <p>23 Q. I'm going to mark this as Exhibit 7, sir.</p> <p>24 Exhibit 7 is another screenshot. It's dated January 30,</p> <p>25 2021. Do you see that?</p>

<p style="text-align: right;">Page 37</p> <p>1 A. Yes, sir.</p> <p>2 Q. And this is saying "congratulations to today's</p> <p>3 hookah raffle winners." Do you see that?</p> <p>4 A. Yes, sir.</p> <p>5 Q. To your knowledge, are these two people that won</p> <p>6 like a raffle for hookahs from the Food Town Mart store?</p> <p>7 A. Yes, sir.</p> <p>8 Q. Do you know who took this photo? Was it you?</p> <p>9 Was it somebody else?</p> <p>10 A. I took these photos.</p> <p>11 Q. You took these photos. Got it.</p> <p>12 A. Yes, sir.</p> <p>13 Q. Given that you took the photos, I assume you</p> <p>14 recognize the background behind these two individuals,</p> <p>15 correct?</p> <p>16 A. Yes, sir.</p> <p>17 Q. Okay. Were these photos taken at the Food Town</p> <p>18 Mart at 3217 West Villard?</p> <p>19 A. Yes, sir.</p> <p>20 Q. I guess behind this lady, you see there's these</p> <p>21 red signs that are hanging up in the background. Do you</p> <p>22 see those?</p> <p>23 A. Yes, sir.</p> <p>24 Q. Are those signs still there today at the Food</p> <p>25 Town Mart?</p>	<p style="text-align: right;">Page 39</p> <p>1 this is somewhere that it's prominently on display in the</p> <p>2 store, correct?</p> <p>3 A. It's in a corner of the store.</p> <p>4 Q. Does your father ever work in that corner of the</p> <p>5 store?</p> <p>6 A. No, sir.</p> <p>7 Q. Have you ever seen him in that corner of the</p> <p>8 store?</p> <p>9 A. Maybe walking past it, but never staying there.</p> <p>10 Q. Okay. The hookahs that were being sold at the</p> <p>11 store, were they kept up on the shelves you see behind</p> <p>12 them? Where were they kept?</p> <p>13 A. They were kept on that counter.</p> <p>14 Q. So anyone walking by if they were looking in that</p> <p>15 direction could see the hookahs, correct?</p> <p>16 A. If you stop and look, yes.</p> <p>17 Q. How long --</p> <p>18 A. They --</p> <p>19 Q. I'm sorry. Go ahead.</p> <p>20 A. They weren't hidden, but they weren't really the</p> <p>21 most visible. That corner is not really the hottest</p> <p>22 corner.</p> <p>23 Q. As floor manager, are you responsible for keeping</p> <p>24 track of what sells or doesn't sell at the store?</p> <p>25 A. Yes, sir.</p>
<p style="text-align: right;">Page 38</p> <p>1 A. Yes, they are.</p> <p>2 (Exhibit No. 8 was marked for identification.)</p> <p>3 BY MR. DESOUZA:</p> <p>4 Q. I'm going to share with you, sir, what we'll mark</p> <p>5 as Exhibit 8 to today's deposition. This is an April 14,</p> <p>6 2021 post on Food Town Mart. Do you see that?</p> <p>7 A. Yes, sir.</p> <p>8 Q. And here in April of 2021 it's saying "new</p> <p>9 hookahs just arrived only at Food Town on Villard,"</p> <p>10 correct?</p> <p>11 A. Yes, sir.</p> <p>12 Q. So do you agree with me that as of April 14, 2021</p> <p>13 Food Town Mart was still selling hookahs, correct?</p> <p>14 A. Yes, sir.</p> <p>15 Q. And, again, these would all be photographs of</p> <p>16 hookahs that were actually being sold at the store,</p> <p>17 correct?</p> <p>18 A. Yes, sir.</p> <p>19 Q. Was your father aware that the store was selling</p> <p>20 these hookahs in this area of the store?</p> <p>21 MR. STEINLE: I object to the form. Answer it</p> <p>22 if you can.</p> <p>23 BY MR. DESOUZA:</p> <p>24 Q. Let me ask you a different question.</p> <p>25 The counter where all of these photos are taken,</p>	<p style="text-align: right;">Page 40</p> <p>1 Q. Is there like an inventory list that you can see</p> <p>2 what has sold and hasn't sold?</p> <p>3 A. Yes.</p> <p>4 Q. And would the hookahs be one item there that is</p> <p>5 listed, like we've got 200 hookahs in stock and we sold 30</p> <p>6 of them, something like that?</p> <p>7 A. Maybe back then, because we haven't sold hookahs</p> <p>8 in a while.</p> <p>9 Q. At whatever time you were selling them, they</p> <p>10 would have been on the inventory list?</p> <p>11 A. Yes, sir.</p> <p>12 Q. And that would be similar to any other items in</p> <p>13 the store, like cereal, or cans of produce, anything like</p> <p>14 that?</p> <p>15 A. Yes, sir.</p> <p>16 Q. Who has access to that inventory list?</p> <p>17 A. I do.</p> <p>18 Q. Does your father have access to it as well?</p> <p>19 A. If he wants to get into it, yes, he can.</p> <p>20 Q. How is it kept? Is it on Excel? Is it paper?</p> <p>21 Is it Quick Books? How do you keep track of the inventory?</p> <p>22 A. It's on an application on the computer in the</p> <p>23 store.</p> <p>24 Q. Do you know what the application is called?</p> <p>25 A. What's that?</p>

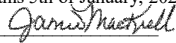
10 (Pages 37 to 40)

<p style="text-align: right;">Page 41</p> <p>1 Q. Do you know what the application is called?</p> <p>2 A. Not directly. I do not know.</p> <p>3 Q. But it's electronic where you log in and you can</p> <p>4 see what's in stock and what's sold?</p> <p>5 A. Yes, sir.</p> <p>6 MR. DESOUZA: Okay. Let me go ahead and take</p> <p>7 that down for you, sir.</p> <p>8 By the way, Mr. Hamed, I don't think we are</p> <p>9 going to be here for very long today, but if you need</p> <p>10 to take a break, if you need to go to the restroom,</p> <p>11 you know, let me know. We can always take a</p> <p>12 five-minute break just to stretch our legs out.</p> <p>13 Okay?</p> <p>14 THE WITNESS: Yes, sir. Okay.</p> <p>15 BY MR. DESOUZA:</p> <p>16 Q. Have you ever sold speakers at the Food Town Mart</p> <p>17 store?</p> <p>18 A. Yes, sir.</p> <p>19 Q. Yes, you have?</p> <p>20 A. Yes, sir.</p> <p>21 Q. What type of speakers?</p> <p>22 A. All different kinds, wireless, Bluetooth</p> <p>23 speakers.</p> <p>24 Q. Are those sold in the same location generally as</p> <p>25 the hookahs are kept?</p>	<p style="text-align: right;">Page 43</p> <p>1 this page going from July 2022 through whenever they go</p> <p>2 back to, correct?</p> <p>3 A. Yes, sir.</p> <p>4 Q. For any of the photographs that are showing items</p> <p>5 for sale, whether they are chicken, or hookahs, or</p> <p>6 speakers, at least going back until you started working</p> <p>7 there, those would all be photographs of things for sale at</p> <p>8 the store at 3217 West Villard, correct?</p> <p>9 A. Yes, sir.</p> <p>10 Q. And to the extent that there are text postings --</p> <p>11 for example, on April 20, 2022 there is this 4/20 sale</p> <p>12 posting, correct?</p> <p>13 A. Yes, sir.</p> <p>14 Q. Those text postings also relate to items for sale</p> <p>15 at 3217 West Villard, correct?</p> <p>16 A. Yes, sir.</p> <p>17 Q. To your knowledge, you have never utilized the</p> <p>18 Food Town Mart Facebook page to advertise for some other</p> <p>19 business, correct?</p> <p>20 A. No, sir.</p> <p>21 Q. So each of the postings on the Facebook page in</p> <p>22 some way was for purposes of advertising the business at</p> <p>23 3217 West Villard, correct?</p> <p>24 A. Yes, sir.</p> <p>25 MR. DESOUZA: So I know I volunteered to give</p>
<p style="text-align: right;">Page 42</p> <p>1 A. Yes, sir.</p> <p>2 Q. Do you still sell speakers today at the store, or</p> <p>3 at least recently?</p> <p>4 A. Yes, sir.</p> <p>5 (Exhibit No. 9 was marked for identification.)</p> <p>6 BY MR. DESOUZA:</p> <p>7 Q. Let me go ahead and share what we'll mark as</p> <p>8 Exhibit 9 for today's deposition. Do you see that up on</p> <p>9 the screen, sir?</p> <p>10 A. Yes, sir.</p> <p>11 Q. All right. What am I looking at in Exhibit 9?</p> <p>12 A. This is a speaker attached to a hookah.</p> <p>13 Q. And this is another item that was for sale at the</p> <p>14 Food Town Mart store?</p> <p>15 A. Yes, sir.</p> <p>16 Q. And as best as you can tell, the background to</p> <p>17 this hookah is the store at 3217 West Villard, correct?</p> <p>18 A. Yes, sir.</p> <p>19 Q. Any of the photos on the Food Town Mart Facebook</p> <p>20 page -- and let me go ahead and do this. I'm going to</p> <p>21 share with you my screen. Up on the screen right now is</p> <p>22 the actual Food Town Mart Facebook page live on the</p> <p>23 internet. Do you see it up here with the address up here?</p> <p>24 A. Yes, sir.</p> <p>25 Q. Okay. Now, obviously there are a lot of posts on</p>	<p style="text-align: right;">Page 44</p> <p>1 you a break, Mr. Hamed, but I'm actually going to</p> <p>2 take a quick five-minute break. I just want to go</p> <p>3 through my notes and see what if anything else I need</p> <p>4 to ask you today before I let you get back to work.</p> <p>5 Okay?</p> <p>6 THE WITNESS: Okay.</p> <p>7 (A recess was taken from 11:50 a.m. until 11:54 a.m.)</p> <p>8 (Exhibit No. 10 was marked for identification.)</p> <p>9 BY MR. DESOUZA:</p> <p>10 Q. Mr. Hamed, I took you to the actual Facebook page</p> <p>11 just before. But for purposes of the record, I'm going to</p> <p>12 go ahead and mark as an exhibit -- what we'll mark as</p> <p>13 Exhibit 10. Exhibit 10 is a screenshot of the Facebook</p> <p>14 page, again the Food Town Mart Facebook page, the photos</p> <p>15 tab. Do you see that?</p> <p>16 A. Yes, sir.</p> <p>17 Q. So these are all photographs that have been put</p> <p>18 up or posted by the Food Town Mart Facebook account. Okay?</p> <p>19 A. Yes, sir.</p> <p>20 Q. And do these all appear to be, at least going</p> <p>21 back to when you started working there, photographs that</p> <p>22 either you or your brother would have posted on the Food</p> <p>23 Town Mart account?</p> <p>24 A. Yes, sir.</p> <p>25 Q. And again, to the extent we are looking at</p>

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<p style="text-align: right;">Page 45</p> <p>1 photographs of cell phones, or tobacco products, or grocery</p> <p>2 products, or speakers, these are all products that were</p> <p>3 being sold at the 3217 West Villard address, correct?</p> <p>4 A. Yes, sir.</p> <p>5 Q. You mentioned earlier that either your father or</p> <p>6 the butcher, to the extent you were posting photographs of</p> <p>7 food items or raw meat items, would have been the person to</p> <p>8 instruct you to put that up on Facebook, correct?</p> <p>9 A. Yes. They would let me know when there is a</p> <p>10 sale, and then I would post it.</p> <p>11 Q. Did your father or the butcher tell you to go put</p> <p>12 that up on Facebook?</p> <p>13 A. No. They told me that there is a sale. I found</p> <p>14 the pictures, and I put it up.</p> <p>15 Q. Okay. Was the butcher aware that you were</p> <p>16 running the Facebook account for the store?</p> <p>17 A. Yes, sir.</p> <p>18 Q. Was your father aware that you were running the</p> <p>19 Facebook account for the store?</p> <p>20 A. Yes, sir.</p> <p>21 Q. Has your father ever asked you to put any of the</p> <p>22 content up on the Facebook page?</p> <p>23 A. No. I usually put it on myself.</p> <p>24 Q. Did you ever show your father the content that</p> <p>25 you put up on the Facebook? Like, "hey, dad, here is what</p>	<p style="text-align: right;">Page 47</p> <p>1 MR. DESOUZA: Yes. I will send all the exhibits</p> <p>2 to both Daughters Reporting and to you at the same</p> <p>3 time.</p> <p>4 MR. STEINLE: Madam Reporter, did you do the</p> <p>5 last one? Do you have my contact information?</p> <p>6 COURT REPORTER: I'm not sure. I took Sharif's</p> <p>7 depo.</p> <p>8 MR. STEINLE: Same deposition order too.</p> <p>9 COURT REPORTER: Dan, are you ordering?</p> <p>10 MR. DESOUZA: Yes, I am.</p> <p>11 Mr. Hamed, thank you for your time.</p> <p>12 THE WITNESS: Thank you.</p> <p>13 COURT REPORTER: Is he reading or waiving for</p> <p>14 the record?</p> <p>15 MR. DESOUZA: Tim, I don't know that you are</p> <p>16 formally here representing him. But, Mr. Hamed,</p> <p>17 under the law, you have a right to either read the</p> <p>18 transcript before it's put into final form to see if</p> <p>19 there was any errors that were made, or you can waive</p> <p>20 that right and say I don't want to look at it again,</p> <p>21 I'm good. You just have to indicate for the court</p> <p>22 reporter which one you want to do.</p> <p>23 THE WITNESS: I'd like to take a look at it.</p> <p>24 (Videoconference concluded at 12:00 p.m.)</p> <p>25</p>
<p style="text-align: right;">Page 46</p> <p>1 I'm putting up there"?</p> <p>2 A. No, sir.</p> <p>3 Q. But he was aware that the Facebook page existed,</p> <p>4 correct?</p> <p>5 A. Well, as far as I know, yes. He's --</p> <p>6 Q. Well, your brother was aware that the Facebook</p> <p>7 page existed because he was publishing content on there,</p> <p>8 correct?</p> <p>9 A. Yes. My dad's not a tech savvy guy. He's not a</p> <p>10 guy that knows how to go through all these things, so he</p> <p>11 wouldn't.</p> <p>12 Q. Well, he wasn't putting the content on there,</p> <p>13 right?</p> <p>14 A. No, sir.</p> <p>15 Q. But he was telling you when there was sales or</p> <p>16 other items that were noteworthy, correct?</p> <p>17 A. Yes, sir.</p> <p>18 MR. DESOUZA: Okay. Mr. Hamed, I think we're</p> <p>19 done for the day. In and out in an hour.</p> <p>20 Unless Mr. Steinle has any questions to ask you,</p> <p>21 I think we'll be done for the day.</p> <p>22 MR. STEINLE: I don't have any questions,</p> <p>23 Counsel. But if I could ask to have copies of the</p> <p>24 exhibits, please. I'm presuming the court reporter</p> <p>25 doesn't have them, but you have them. So if you --</p>	<p style="text-align: right;">Page 48</p> <p>1 CERTIFICATE OF OATH</p> <p>2</p> <p>3 THE STATE OF FLORIDA</p> <p>4 COUNTY OF BROWARD</p> <p>5</p> <p>6</p> <p>7 I, the undersigned authority, certify that the</p> <p>8 witness, AMJAD SHARIF HAMED, appeared before me via</p> <p>9 videoconference on the 18th of December, 2023.</p> <p>10</p> <p>11 Signed this 18th of December, 2023.</p> <p>12</p> <p>13</p> <p>14</p> <p>15  JAMIE D. MACKRELL, CSR</p> <p>16 Notary Public - State of Florida</p> <p>17 Commission No. HH173501</p> <p>18 Expires: September 8, 2025</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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<div style="text-align: right;">Page 49</div> <div> 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 </div> <div style="text-align: center;">REPORTER'S CERTIFICATE</div> <p> I, Jamie D. Mackrell, Shorthand Reporter and Notary Public in and for the State of Florida at Large, do hereby certify that the foregoing transcript, Pages 1 to and including 47, is a true and correct transcription of my stenographic notes of the statement given by AMJAD SHARIF HAMED via videoconference, on the 18th of December, 2023, commencing at 11:00 a.m. </p> <p> I FURTHER CERTIFY that I am neither attorney nor counsel for, nor related to or employed by, any of the parties to the action in which this statement is taken; and further that I am not a relative or employee of any attorney or counsel employed by the parties hereto, or financially interested in the action. </p> <p> Dated this 5th of January, 2024.  JAMIE D. MACKRELL, CSR Notary Public - State of Florida Commission No. HH173501 Expires: September 8, 2025 </p>
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